

REMARKS

No change in inventorship under 37 CFR 1.48(b) is merited by claim amendment and election under restriction requirement under 37 CFR 1.121 and as such, no request under 37 CFR 1.48(b) or fee under 37 CFR 1.17(i) are submitted. No new matter is added herein. The response to the Restriction Requirement is due on or before December 19, 2002. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-1169. An early action on the merits is kindly requested.

Applicants respectfully submit that the pending claims are in a condition for allowance. The undersigned can be reached at 408-746-4536 if the Examiner wishes to discuss the response.

Respectfully submitted,

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*Version with Markings to Show Changes*IN THE CLAIMS

Claims 46-58 have been amended as follows:

46. (Amended) The method of claim [13] 43, wherein the antibody is conjugated to a radioisotope, affinity label, enzymatic label or fluorescent label.
47. (Amended) The method of claim [13] 43, wherein the biological sample is selected from the group consisting of tissue, cell blood, serum, lymphatic fluid, urine and cerebrospinal fluid.
48. (Amended) The method of claim [13] 43, wherein the cancerous cell is a brain cancer cell.
49. (Amended) The method of claim [13] 43, wherein the cancerous cell is a prostate cancer cell.
50. (Amended) The method of claim [13] 43, wherein the cancerous cell is a breast cancer cell.
51. (Amended) The method of claim [13] 43, wherein the cancerous cell is a skin cancer cell.
52. (Amended) The method of claim [13] 43, wherein the cancerous cell is a lymphoma cell.
53. (Amended) The method of claim [13] 43, wherein the cancerous cell is a sarcoma cell.
54. (Amended) The method of claim [13] 43, wherein the cancerous cell is a colon cancer cell.

55. (Amended) The method of claim [13] 43, wherein the cancerous cell is a leukemia cell.

56. (Amended) The method of claim [13] 43, wherein the cancerous cell is a ovarian cancer cell.

57. (Amended) The method of claim [13] 43, wherein the cancerous cell is a pancreatic cancer cell.

58. (Amended) The method of claim [13] 43, wherein the cancerous cell is a lung cancer cell.